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P.O. Box 1450  
Alexandria, VA 22313-1450

on: August 11, 2004.

Genomics Institute of the Novartis Research Foundation

By: Jill R. Clarke  
Jill R. Clarke



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Michael P. Cooke, et al.

Application No.: 10/764,330

Filed: January 23, 2004

For: Methods and Compositions for  
Modulating T Lymphocytes

Confirmation No.: 5772

Examiner: Not yet assigned

Art Unit: 1645

COMMUNICATION UNDER

37 C.F.R. §§ 1.821-1.825 AND

PRELIMINARY AMENDMENT

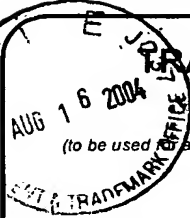
Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to a Notice to File Missing Parts of Nonprovisional Application, mailed May 11, 2004, for the above-identified patent application, Applicants submit herewith the required paper copy and computer readable copy of the Sequence Listing. Please amend the specification in adherence with 37 CFR §§ 1.821-1.825 as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Remarks** begin on page 3 of this paper.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/764,330
Filing Date	01/23/2004
First Named Inventor	Michael P. Cooke
Art Unit	1645
Examiner Name	
Attorney Docket Number	P1097US10

Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☒ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☒ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Technology Center (TC)
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s)  
(please identify below):
1. Form PTO/SB/17 Fee Transmittal Form with authorization to charge Deposit Account No. 50-1885 in the amount of \$1,222 for filing (\$770), surcharge (\$130), claims (\$212), and extension fees (\$110) (1 pg. + 1 pg. copy);
  2. Form PTO/SB/01A Declaration Using and ADS (2 pgs.) with copy of initial ADS (4 pgs.);
  3. Photocopy of executed Assignment from the inventors to IRM LLC (7 pgs.);
  4. Photocopy of General Power of Attorney from Assignee IRM LLC to Timothy L. Smith (1 pg.);
  5. Executed Form PTO/SB/96 Statement Under 37 CFR 3.73(b) (1 pg.);v
  6. Communication Under 37 CFR §§ 1.821-1.825 and Preliminary Amendment (3 pgs.), one paper copy (11 pgs.) and one computer readable copy (diskette) of the Sequence Listing;
  7. Copy of Notice to File Missing Parts (2 pgs.); and
  8. One Return Mailroom Postcard Receipt.

- ☐ Certified Copy of Priority Document(s)
- ☒ Response to Missing Parts/ Incomplete Application
- ☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

Remarks

The Director is authorized to charge any additional fees to Deposit Account No. 50-1885.

### EXTENSION OF TIME

Applicants respectfully request one month extension of time to respond to the Notice to File Missing Parts mailed on May 11, 2004.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Hugh Wang, Reg. No. 47,163
Signature	
Date	August 11, 2004

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Jill R. Clarke
Signature	
Date	August 11, 2004

# FEE TRANSMITTAL for FY 2004

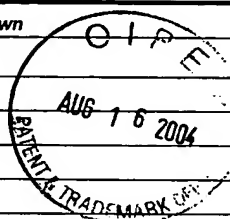
Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1222

Complete if Known

Application Number 10/764,330  
Filing Date 01/23/2004  
First Named Inventor Michael P. Cooke  
Examiner Name  
Art Unit 1645  
Attorney Docket No. P1097US10



## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number

50-1885

Deposit  
Account  
Name

Genomics Institute of the Novartis Research  
Foundation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

770

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
27	-20 ** = 7	18	126
Independent Claims	4	-3 ** = 1	86
Multiple Dependent			0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 982)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 240)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Hugh Wang

Registration No.  
(Attorney/Agent)

47,163

Telephone

858-812-1539

Signature

Date

8-11-04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.